

**UNITED STATES DISTRICT COURT**  
**Western District of Wisconsin**

**DONALD WILBERT DAVIS II,**

**JUDGMENT IN A CIVIL CASE**

**Petitioner,**

v.

**09-cv-002-bbc**

**ROBERT SPODEN, Sheriff,  
Rock County,**

**Respondent.**

---

**This action came for consideration before the court with U. S. District Judge Barbara B. Crabb presiding.  
The issues have been considered and a decision has been rendered.**

---

**IT IS ORDERED AND ADJUDGED**

---

that the petition for a writ of habeas corpus is DISMISSED WITHOUT PREJUDICE for petitioner's failure to exhaust his state court remedies.

**PETER A. OPPENEER**

---

**Peter A. Oppeneer, Clerk**

**1/6/09**

---

**Connie A. Korth  
by Deputy Clerk**

---

**Date**